



22788
020304
U.S. PTO

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Attorney Docket P1857R1P1
PATENT

EV351926366US : Express Mail Number

February 3, 2004: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22387 U.S. PTO
10/771254
020304



NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Heather Flores, Hayward, CA
Tanya P. Lin, Berkeley, CA
Timothy C. Matthews, Millbrae, CA
Roger Pai, Los Altos, CA
Zahra Shahrokh, Weston, MA

Title: APO-2 LIGAND/TRAIL FORMULATIONS

1. Type of Application

This application is for an original, non-provisional application.

This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.

This is a continuation-in-part continuation divisional application claiming priority to International Application Number PCT/US02/36251, filed November 12, 2002, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)
(Non-provisional)

70 pages of specification
7 pages of claims
1 page of abstract
23 sheets of drawings
[] formal informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
 An executed declaration of the inventor(s) [] is enclosed will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

- A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

- A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

- An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [X] will follow.

(for cont./div.)

- The prior application is assigned of record to Genentech, Inc.

5. Amendments **(for continuation and divisional applications)**

- Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

- A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. **Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	79	- 20 =	59	X \$18.00	\$1,062.00
Independent Claims	7	- 3 =	4	X \$86.00	\$344.00
<u>X</u> Multiple dependent claim(s), if any				+ \$290.00	\$290.00
Filing Fee Calculation					\$2,122.00

7. **Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$2,122.00. A duplicate copy of this transmittal is enclosed.

8. **Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this transmittal is enclosed.

9. **Correspondence Address:**

Address all future communications to:

Attn: Diane L. Marschang
Customer No: 09157

Respectfully submitted,
GENENTECH, INC.

Date: February 3, 2004
By: 
Diane L. Marschang
Reg. No. 35,600
Telephone No. (650) 225-5416

CUSTOMER NO: 09157